

Notice of Allowability

Application No.

09/808,200

Examiner

Alvin A. Hunter

Applicant(s)

PETTIGREW ET AL.

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3711

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/16/2004.
2. ☒ The allowed claim(s) is/are 39,41,44 and 46.
3. ☒ The drawings filed on 13 March 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Kevin Zilka on October 1, 2004.

The application has been amended as follows:

Claim 39. An instructional golf ball, comprising:

a spherical body having an outer surface with a plurality of dimples formed thereon; instructional indicia situated on the outer surface of the body, the instructional indicia including the text to indicate that the putt target marking is the point on the golf ball to be struck when putting; and positioning indicia situated on the outer surface of the body in specific relation to the instructional indicia for facilitating the placement of the body prior to being played such that the instructional indicia is easily read; wherein the specific relation of the positioning of the instructional indicia and the positioning indicia ensures that the instructional indicia is capable of being read from left to right by a user addressing the golf ball when the positioning indicia is positioned at an apex of the golf ball and directed in a direction of a target, thereby providing an instructional reminder while the user addresses the golf ball; wherein a pair of spaced bands flank an equator of the body of the golf ball, and a putt target marking is situated on the equator of the body between the bands, wherein the putt target marking is adapted for indicating

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a point on the golf ball to be struck when putting, and the bands indicate any spin associated with the golf ball when putting, wherein the text indicates that the putt target marking is the point on the golf ball to be struck when putting.

Claim 40 has been cancelled.

Claim 41. An instructional golf ball, comprising:

a spherical body having an outer surface with a plurality of dimples formed thereon; instructional indicia situated on the outer surface of the body, the instructional indicia including text for providing guidance as to the manner in which the golf ball should be played, and positioning indicia situated on the outer surface of the body in specific relation to the instructional indicia for facilitating the placement of the body prior to being played such that the instructional indicia is easily read; wherein the specific relation of the positioning of the instructional indicia and the positioning indicia ensures that the instructional indicia is capable of being read from left to right by a user addressing the golf ball when the positioning indicia is positioned at an apex of the golf ball and directed in a direction of a target, thereby providing an instructional reminder while the user addresses the golf ball; wherein a drive target marking is situated on the body of the golf ball, wherein the drive target marking is adapted for indicating a point on the golf ball to be struck when driving; wherein a tee marking is situated on the body of the golf ball, wherein the tee marking is adapted for indicating a point on the golf ball

to be positioned on a tee when driving, and wherein the text indicates that the drive target marking is the point on the golf ball to be struck

Claim 42 has been cancelled.

Claim 43 has been cancelled.

44. (Added) A method of improving the manner in which a golf ball is played by a user during golf, comprising:

placing a golf ball on a ground surface, the golf ball including a spherical body having an outer surface with a plurality of dimples formed thereon; reading instructional indicia situated on the outer surface of the body, wherein the instructional indicia includes text for providing guidance as to the manner in which the golf ball should be played by a user; and playing the golf ball in the manner indicated by the instructional indicia', wherein positioning indicia is situated on the outer surface of the body in specific relation to the instructional indicia for facilitating the placement of the body prior to being played such that the instructional indicia is easily read by the user, the specific relation of the positioning of the instructional indicia and the positioning indicia ensuring that the instructional indicia is capable of being read from left to right by the user addressing the golf ball when the positioning indicia is positioned at an apex of the golf ball and directed in a direction of a target, thereby providing an instructional reminder while the user addresses the golf ball; wherein a pair of spaced bands flank an equator

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of the body of the golf ball, and a putt target marking is situated on the equator of the body between the bands, and further comprising using the putting, and the using the bands to detect any spin associated with the golf ball when putting, and wherein the text indicates that the putt target marking is the point on the golf ball to be struck when putting.

Claim 45 has been cancelled.

Claim 46. A method of improving the manner in which a golf ball is played by a user during golf, comprising:

placing a golf ball on a ground surface, the golf ball including a spherical body having an outer surface with a plurality of dimples formed thereon; reading instructional indicia situated on the outer surface of the body, wherein the instructional indicia includes text for providing guidance as to the manner in which the golf ball should be played by a user; and playing the golf ball in the manner indicated by the instructional indicia, wherein positioning indicia is situated on the outer surface of the body in specific relation to the instructional indicia for facilitating the placement of the body prior to being played such that the instructional indicia is easily read by the user, the specific relation of the positioning of the instructional indicia and the positioning indicia ensuring that the instructional indicia is capable of being read from left to right by the user addressing the golf ball when the positioning indicia is positioned at an apex of the golf ball and directed in a direction of a target, thereby providing an instructional reminder while the

user addresses the golf ball; wherein a drive target marking is situated on the body of the golf ball, and further comprising using the drive target marking to determine a point on the golf ball to be struck when driving; wherein a tee marking is situated on the body of the golf ball, and further comprising using the tee marking to determine a point on the golf ball to be positioned on a tee when driving, and wherein the text indicates that the drive target marking is the point on the golf ball to be struck when driving.

Claim 47 has been cancelled.

Claim 48 has been cancelled.

Allowable Subject Matter

Claims 39, 41, 44, and 46 are allowed.

The following is an examiner's statement of reasons for allowance: the prior art does not show or suggest the instructional indicia being text and indicated the point at which the ball should be struck.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alvin A. Hunter whose telephone number is 703-306-5693. The examiner can normally be reached on 7:30AM-4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Vidovich can be reached on 703-308-1513. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Alvin A. Hunter, Jr.


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